

Mrs. MURRAY, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 311

Whereas ovarian cancer is the deadliest of all gynecological cancers, and the reported incidence of ovarian cancer is increasing over time;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at higher risk;

Whereas the Pap smear is sensitive and specific to the early detection of cervical cancer, but not to ovarian cancer;

Whereas there is currently no reliable and easy-to-administer screening test used for the early detection of ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and urinary symptoms, among several other symptoms that are easily confused with other diseases;

Whereas due to the lack of a reliable early screening test, 75 percent of cases of ovarian cancer are detected at an advanced stage, when the 5-year survival rate is only 50 percent, a much lower rate than for many other cancers;

Whereas if ovarian cancer is diagnosed and treated at an early stage before the cancer spreads outside of the ovary, the treatment is potentially less costly, and the survival rate is as high as 90 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and play an important role in the prevention of the disease;

Whereas awareness and early recognition of ovarian cancer symptoms are currently the best way to save women's lives;

Whereas the Ovarian Cancer National Alliance, during the month of September, holds a number of events to increase public awareness of ovarian cancer; and

Whereas a National Ovarian Cancer Awareness Month should be designated to increase the awareness of the public regarding the cancer: Now, therefore, be it

*Resolved*, That the Senate supports the goals and ideals of National Ovarian Cancer Awareness Month.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Friday, September 7, at 9 a.m. in open session, and possibly closed session, to receive a report on the Government Accountability Office's assessment of 18 Iraq benchmarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. ENZI. I ask unanimous consent that Ann Clough, a detailee in my office, be granted the privilege of the floor for the remainder of the debate on the conference report for H.R. 2669, the College Cost Reduction and Access Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that Lily Clark, a fellow in my office, be granted the privilege of the floor for the remainder of this session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2008

On Thursday, September 6, 2007, the Senate passed H.R. 2642, as amended, as follows:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:*

### TITLE I

#### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,928,149,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed \$317,149,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,168,315,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed \$115,258,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,048,518,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed \$64,958,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

##### (INCLUDING TRANSFER OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$1,758,755,000, to remain available until September 30, 2012: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$154,728,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$478,836,000, to remain available until September 30, 2012.*

##### MILITARY CONSTRUCTION, AIR NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$228,995,000, to remain available until September 30, 2012.*

##### MILITARY CONSTRUCTION, ARMY RESERVE

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$138,424,000, to remain available until September 30, 2012.*

##### MILITARY CONSTRUCTION, NAVY RESERVE

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$59,150,000, to remain available until September 30, 2012.*

##### MILITARY CONSTRUCTION, AIR FORCE RESERVE

##### (INCLUDING RESCISSION OF FUNDS)

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$27,559,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for "Military Construction, Air Force Reserve" under Public Law 109-114, \$3,100,000 are hereby rescinded.*

##### NORTH ATLANTIC TREATY ORGANIZATION

##### SECURITY INVESTMENT PROGRAM

*For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States*

Code, and Military Construction Authorization Acts, \$201,400,000, to remain available until expended.

#### FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$419,400,000, to remain available until September 30, 2012.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$742,920,000.

#### FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$288,329,000, to remain available until September 30, 2012.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$371,404,000.

#### FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$362,747,000, to remain available until September 30, 2012.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$688,335,000.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$48,848,000.

#### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

#### CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$104,176,000, to remain available until September 30, 2012, which shall be only for the Assembled Chemical Weapons Alternatives program.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$320,689,000, to remain available until expended.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$8,174,315,000, to remain available until expended: Provided, That funds made available under this heading for the construction of facilities are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished

in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) The Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress, by February 15 of each year, an annual report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term "host country" means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority available to the Department of Defense,

amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year: Provided further, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: Provided further, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will

assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

SEC. 126. Funds made available by this title for the construction of facilities identified in the State table of the report accompanying this Act as "Grow the Force" projects are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$41,236,322,000, to remain available until expended: Provided, That not to exceed \$28,583,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical administration" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$3,300,289,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat.

887; 72 Stat. 487, \$41,250,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND  
PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2008, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,562,000.

VOCATIONAL REHABILITATION LOANS PROGRAM  
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$71,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,287,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$311,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN  
PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$628,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR  
HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical services" may be expended.

VETERANS HEALTH ADMINISTRATION  
MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; \$28,979,220,000, plus reimbursements: Provided, That of the funds made available under this heading, not to exceed \$1,350,000,000 shall remain available until September 30, 2009: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may au-

thorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of \$15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.): \$3,642,000,000, plus reimbursements, of which \$250,000,000 shall remain available until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,092,000,000, plus reimbursements, of which \$350,000,000 shall remain available until September 30, 2009: Provided, That not less than \$350,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$500,000,000, plus reimbursements, to remain available until September 30, 2009.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, \$217,709,000, of which not to exceed \$25,000,000 shall remain available until September 30, 2009.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of

Defense for the cost of overseas employee mail, \$1,612,031,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than \$1,329,044,000: Provided further, That of the funds made available under this heading, not to exceed \$75,000,000 shall be available for obligation until September 30, 2009: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, \$88,700,000, of which \$3,630,000 shall remain available until September 30, 2009.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$727,400,000, to remain available until expended, of which \$2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2008, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2008; and (2) by the awarding of a construction contract by September 30, 2009: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

## CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$751,398,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

## GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, \$250,000,000, to remain available until expended.

## GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$100,000,000, to remain available until expended.

## INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$1,898,000,000, to remain available until September 30, 2009: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2008, in this Act or any other Act, for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Pro-

vided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for fiscal year 2008, in this Act or any other Act, under the "Medical services", "Medical Administration", and "Medical facilities" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

## (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2008 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2008 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for

expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed \$32,067,000 for the Office of Resolution Management and \$3,148,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

- (1) for furnishing recreational facilities, supplies, and equipment; and
- (2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2)



require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical Administration", "Medical facilities", "General operating expenses", and "National Cemetery Administration" accounts for fiscal year 2008, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. For purposes of perfecting the funding sources of the Department of Veterans Affairs' new "Information technology systems" account, funds made available for fiscal year 2008, in this or any other Act, may be transferred from the "General operating expenses", "National Cemetery Administration", and "Office of Inspector General" accounts to the "Medical services" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Amounts made available for the "Information technology systems" account may be transferred between projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. Of the amounts made available for fiscal year 2008, in this Act or any other Act, under the "Medical Facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last two months of the fiscal year.

SEC. 225. PROHIBITION ON DISPOSAL OF DEPARTMENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA. (a) IN GENERAL.—The Secretary of Veterans Affairs may not declare as excess to the needs of the Department of Veterans Affairs, or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of

Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

(b) SPECIAL PROVISION REGARDING LEASE WITH REPRESENTATIVE OF THE HOMELESS.—Notwithstanding any provision of this Act, section 7 of the Homeless Veterans Comprehensive Services Act of 1992 (Public Law 102-590) shall remain in effect.

(c) CONFORMING AMENDMENT.—Section 8162(c)(1) of title 38, United States Code, is amended—

(1) by inserting "or section 225(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008" after "section 421(b)(2) of the Veterans' Benefits and Services Act of 1988 (Public Law 100-322; 102 Stat. 553)"; and

(2) by striking "that section" and inserting "such sections".

(d) EFFECTIVE DATE.—This section, including the amendment made by this section, shall apply with respect to fiscal year 2008 and each fiscal year thereafter.

SEC. 226. The Department shall continue research into Gulf War Illness at levels not less than those made available in fiscal year 2007, within available funds contained in this Act.

SEC. 227. (a) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs.

(b) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF VETERANS AFFAIRS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Department of Veterans Affairs a direct link to the Internet website of the Office of Inspector General of the Department of Veterans Affairs.

SEC. 228. (a) AUTHORITY FOR TRANSFER OF FUNDS TO SECRETARY OF HEALTH AND HUMAN SERVICES TO TRAIN PSYCHOLOGISTS.—Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, the Secretary of Veterans Affairs may transfer not more than \$5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—The Secretary of Health and Human Services may only use funds transferred under this section for the purposes described in subsection (a).

(c) NOTIFICATION.—The Secretary of Veterans Affairs shall notify Congress of any such transfer of funds under this section.

SEC. 229. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

(i) a description of each such delay; (ii) an explanation for each such delay; and (iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in New Orleans, Louisiana, should be designated as a tier 1 polytrauma rehabilitation center or a polytrauma network site.

SEC. 230. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES" is hereby increased by \$125,000,000.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", as increased by subsection (a), \$125,000,000 shall be available for the Veterans Beneficiary Travel Program. The amount available for the Veterans Beneficiary Travel Program under this subsection is in addition to any other amounts available for that program under this title.

(c) OFFSET.—The amount appropriated or otherwise made available by this title for the Veterans Health Administration under the heading "MEDICAL ADMINISTRATION" is hereby decreased by \$125,000,000.

SEC. 231. (a) REPORT ON ACCESS TO MEDICAL SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO VETERANS IN REMOTE RURAL AREAS.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of the Congress a report setting forth the following:

(1) A description of the following: (A) The unique challenges and costs faced by veterans in remote rural areas of contiguous and non-contiguous States when obtaining medical services from the Department of Veterans Affairs.

(B) The need to improve access to locally-administered care for veterans who reside in remote rural areas.

(C) The need to fund alternative sources of medical services—

(i) in areas where facilities of the Department of Veterans Affairs are not accessible to veterans without leaving such areas; and

(ii) in cases in which receipt of medical services by a veteran in a facility of the Department requires transportation of such veteran by air due to geographic and infrastructural constraints.

(2) An assessment of the potential for increasing local access to medical services for veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committees on Veterans' Affairs of the Senate and the House of Representatives; and (2) the Subcommittees referred to in section 407.

SEC. 232. None of the funds appropriated or otherwise made available by this Act may be used during fiscal year 2008 to round down dollar amounts to the next lower whole dollar for payments of the following:

(1) Disability compensation under section 1114 of 38, United States Code.

(2) Additional compensation for dependents under section 1115(1) of such title.

(3) Clothing allowance under section 1162 of such title.

(4) Dependency and indemnity compensation to surviving spouse under subsections (a) through (d) of section 1311 of such title.

(5) Dependency and indemnity compensation to children under sections 1313(a) and 1314 of such title.

SEC. 233. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 234. LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC. (a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michigan, shall be known and designated as the “Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs clinic referred to in subsection (a) shall be deemed to be a reference to the “Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic”.

SEC. 235. The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed \$12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans’ Inpatient and Specialty Outpatient Health Care Needs.

### TITLE III

#### RELATED AGENCIES

#### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$45,600,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, \$11,000,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

#### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251-7298 of title 38, United States Code, \$24,217,000: Provided, That \$1,120,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

#### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including

the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$31,865,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned watermain at Arlington National Cemetery making additional land available for ground burials.

#### ARMED FORCES RETIREMENT HOME

##### TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulftport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$55,724,000.

#### GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the “Armed Forces Retirement Home”, \$5,900,000, to remain available until expended.

#### ADMINISTRATIVE PROVISION

SEC. 301. None of the funds in this title under the heading “American Battle Monuments Commission” shall be available for the Capital Security Costs Sharing program.

### TITLE IV

#### GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) ASSESSMENT OF MENTAL HEALTH CARE SERVICES FOR FEMALE SERVICEMEMBERS

AND VETERANS.—The Comptroller General of the United States shall conduct an assessment of the adequacy of the mental health care services provided by the Department of Veterans Affairs and the Department of Defense to female members of the Armed Forces and female veterans to meet the mental health care needs of such members and veterans.

(b) REPORT.—Not later than September 1, 2008, the Comptroller General shall submit to the Subcommittees referred to in section 407 a report on the assessment required by subsection (a).

SEC. 409. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

SEC. 410. (a) In this section:

(1) The term “City” means the City of Aurora, Colorado.

(2) The term “deed” means the quitclaim deed—

(A) conveyed by the Secretary to the City; and

(B) dated May 24, 1999.

(3) The term “non-Federal land” means—

(A) parcel I of the Fitzsimons Army Medical Center, Colorado; and

(B) the parcel of land described in the deed.

(4) The term “Secretary” means the Secretary of the Interior.

(b)(1) In accordance with paragraph (2), and subject to each term and condition required under paragraph (3), to allow the City to convey to the United States the non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility, the Secretary may execute such instruments as determined by the Secretary to be necessary to modify or release any condition under which the non-Federal land would revert to the United States.

(2) In carrying out paragraph (1), with respect to the non-Federal land, the Secretary shall alter—

(A) each provision of the deed relating to a reversionary interest of the United States; and

(B) any other reversionary interest of the United States.

To authorize the use of the property to include use as a veteran’s facility in addition to use for recreational purposes.

(3) The Secretary shall carry out paragraph (1) subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States.

SEC. 411. For an additional amount \$100,000,000, with \$50,000,000 each to the Cities of Denver, Colorado, and St. Paul, Minnesota, shall be available to the Department of Homeland Security for State and local law enforcement entities for security and related costs, including overtime, associated with the Democratic National Convention and Republican National Convention in 2008. The Department of Homeland Security shall provide for an audit

of all amounts made available under this section, including expenditures by State and local law enforcement entities. Amounts provided by this section are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SEC. 412. None of the funds appropriated or otherwise made available by this Act may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

This Act may be cited as the "Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008".

Mr. INOUE. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### THE CALENDAR

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the consideration of the following calendar items: Calendar No. 342, S. Res. 134; Calendar No. 343, S. Res. 282; Calendar No. 344, S. Res. 288; Calendar No. 345, S. Res. 292; and Calendar No. 346, S. Res. 301.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I ask unanimous consent that the resolutions be agreed to en bloc, the preambles be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, the consideration of these items appear separately in the RECORD, and that any statements relating thereto be printed at the appropriate place in the RECORD as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADOPT A SCHOOL LIBRARY MONTH

The resolution (S. Res. 134) designating September 2007 as "Adopt a School Library Month," was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 134

Whereas extensive research has demonstrated a link between high-quality school libraries and student achievement in the classroom and on standardized tests, regardless of the level of poverty or family instability experienced by the student;

Whereas 37 percent of all fourth grade children in the United States are reading at below-basic reading levels;

Whereas the school libraries of the United States are valuable tools that could be used to inspire and enhance literacy for all children;

Whereas, to become a lifelong reader, a student must be exposed to adults who read regularly and serve as positive reading role models;

Whereas school librarians are—

(1) instrumental in helping teachers educate the students of the United States; and

(2) through the use of books, computer resources, and other resources, a necessary component for expanding the curriculum of the public schools of the United States;

Whereas the school libraries of the United States are used as media centers to provide students with opportunities to interact with computers and other electronic information resources;

Whereas the use of school library computers helps students develop media and technological skills, including—

(1) critical thinking;

(2) communication competency; and

(3) the ethical and appropriate use of technology information access, retrieval, and production;

Whereas the school libraries of the United States serve as a gathering place for students of all ages, backgrounds, and interests to come together to debate ideas;

Whereas only approximately \$1,000,000,000 is allocated to school libraries each year, which translates to \$0.54 per student; and

Whereas numerous programs, including the READesign program of the Heart of America Foundation, are working to reestablish school libraries as the hearts of the public schools of the United States by—

(1) offering intensive care for school libraries though efforts designed—

(A) to redecorate school libraries;

(B) to revitalize technology available to school libraries; and

(C) to replenish the book shelves of school libraries; and

(2) renewing community support and interest for—

(A) enriching the lives of children; and

(B) helping students regain lost opportunities for learning: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2007 as "Adopt a School Library Month" to raise public awareness about the important role school libraries play in the academic achievement of children; and

(2) calls on the Federal Government, States, local governments, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate ceremonies, programs, and other activities.

### NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK

The resolution (S. Res. 282) supporting the goals and ideals of a National Polycystic Kidney Disease Awareness Week to raise public awareness and understanding of polycystic kidney disease and to foster understanding of the impact polycystic kidney disease has on patients and future generations of their families, was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 282

Whereas polycystic kidney disease (known as "PKD") is 1 of the most prevalent life-threatening genetic diseases in the United States, is a severe, dominantly inherited disease that has a devastating impact, in both human and economic terms, on people of all ages, and affects equally people of all races, sexes, nationalities, geographic locations, and income levels;

Whereas, based on prevalence estimates by the National Institutes of Health, it is estimated that about 600,000 patients in the United States have a genetic inheritance from 1 or both parents for polycystic kidney

disease, and that countless additional friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas polycystic kidney disease, for which there is no treatment or cure, is the leading genetic cause of kidney failure in the United States and the 4th leading cause overall;

Whereas the vast majority of polycystic kidney disease patients reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States, as the largest segment of the population of the United States, the "baby boomers", continues to age;

Whereas end stage renal disease is one of the fastest growing components of the Medicare budget, and polycystic kidney disease contributes to that cost by an estimated \$2,000,000,000 annually for dialysis, kidney transplantation, and related therapies;

Whereas polycystic kidney disease is a systemic disease that causes damage to the kidney and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems and instills in patients a fear of an unknown future with a life-threatening genetic disease and apprehension over possible genetic discrimination;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or to avoid following good health management which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences due to their anxiety over pain, suffering, and premature death;

Whereas the Senate and taxpayers of the United States desire to see treatments and cures for disease and would like to see results from investments in research conducted by the National Institutes of Health (NIH) and from such initiatives as the NIH Roadmap to the Future;

Whereas polycystic kidney disease is a verifiable example of how collaboration, technological innovation, scientific momentum, and public-private partnerships can generate therapeutic interventions that directly benefit polycystic kidney disease sufferers, save billions of Federal dollars under Medicare, Medicaid, and other programs for dialysis, kidney transplants, immunosuppressant drugs, and related therapies, and make available several thousand openings on the kidney transplant waiting list;

Whereas improvements in diagnostic technology and the expansion of scientific knowledge about polycystic kidney disease have led to the discovery of the 3 primary genes that cause polycystic kidney disease and the 3 primary protein products of the genes and to the understanding of cell structures and signaling pathways that cause cyst growth that has produced multiple polycystic kidney disease clinical drug trials;

Whereas there are thousands of volunteers nationwide who are dedicated to expanding essential research, fostering public awareness and understanding of polycystic kidney disease, educating polycystic kidney disease patients and their families about the disease to improve their treatment and care, providing appropriate moral support, and encouraging people to become organ donors; and